

MEETING MINUTES  
OFFENDER REGISTRATION WORKING GROUP

DATE: September 18, 2007

TIME: 1:00-4:00 PM

LOCATION: Riley County Police Department

Attendance:

David Hutchings, Special Agent in Charge, Kansas Bureau of Investigation (KBI)  
Erik Wood, Manager, KBI Offender Registration Unit  
Shelia Sawyer-Tyler, Administrative Officer, KBI Offender Registration Unit  
Kelly McPherron, Assistant Attorney General, KBI  
Melissa Purkeypile, Community Corrections  
Erin Thompson, Deputy, Shawnee County Sheriff's Office (SNSO)  
Angela Wilson, Assistant District Attorney, Douglas County District Attorney's Office  
Al W. Deathe, Sergeant, Douglas County Sheriff's Office (DGSO)  
Jeff Duncan, Kansas Juvenile Justice Authority (JJA)  
Chris Reece, Program Consultant, JJA  
David A Ricke, Judge, Butler County District Court  
Tyler C Lockett, Supreme Court Justice, Ret, Kansas Supreme Court  
Bethany Fields, Assistant District Attorney, Riley County District Attorney's Office  
Stacey Donovan, Public Defender, 3<sup>rd</sup> Judicial District  
John Doehling, Riley County Police Department  
Lynette Woods, Riley County Police Department  
Andrew Carver, Deputy, Wyandotte County Sheriff's Office  
Chris Rieger, Kansas Department of Corrections (KDOC)  
Lisa Fleming, Supervising Officer, Johnson County Adult Probation  
Jen Carlson, Deputy, Douglas County Sheriff's Office

Minutes of the Meeting:

1. David Hutchings discussed the reason for the Working Group and how it began. Erik introduced himself as the Manager of the Offender Registration Unit (ORU) and acting chairman of the Group. All others present introduced themselves. Erik advised that he will request participation in the Working Group from the Attorney General's Office.
2. Erik asked if there were any questions regarding the last meeting. There were no questions.
3. A copy of the revised Mission Statement was distributed and there were no objections to the updated verbiage.
4. A copy of the KBI's proposed legislative changes to the KORA was distributed. Angela Wilson discussed the need to include definitions for "domiciled" and "temporarily domiciled." Jeff Duncan asked about a systematic assessment for the purposes of determining if offenders are required to register. Dave Hutchings responded that the Adam Walsh Act does not allow for this type of discretion.

The registration of drug offenders was discussed at length. Angela Wilson suggested having different laws regarding the different types of offenders. There were concerns voiced that if the registration of drug offenders was challenged and struck down, how it would affect the registration requirement for sex and violent offenders. Judge Ricke and Justice Lockett advised that if a certain part of the law were to be struck down it would not affect the remainder of the law. Some members believe that with the addition of drug offenders, that offender registration is becoming too broad. Other members believe there are more drug offenses that could be included. Due to some drug offenders cooperating as criminal informants, it was suggested that whether a drug offender's registration is open public record may be left to a Judge's discretion.

Currently the KORA requires offenders to notify the KBI of an address change. Erin Thompson asked if the updated information provided by her relieves the offender of this obligation. Erik and Dave Hutchings responded that since it is statutorily required, offenders must comply.

The addition of a liability clause to include Sheriff's Offices was suggested.

5. Erik advised that the KBI Offender Registration Unit will provide training as requested. It was suggested that a list of best practices be drafted and shared across the State.
6. Erik, Dave Hutchings and Kelly McPherron represented the KBI at the National Sex Offender Symposium in Indianapolis, Indiana. The Symposium was very informative and provided a number of ideas as to how other local and State agencies are implementing the Adam Walsh Act.
7. The implementation of Adam Walsh will increase the length of registration for offenders. Erik advised that Kansas would likely become a 2 tier state registering offenders for 25 years or life. Adam Walsh requires that offenders not in custody register "immediately upon release", however the KORA requires offenders not in custody to register upon conviction. It was suggested that the KORA clarify when offenders are required to register.
8. Erik advised that the KBI Offender Website will be fully compliant with the Adam Walsh Act by the end of 2007, except for search capabilities provided by DOJ.
9. The next meeting will be held Tuesday, November 6, 2007 at 1:00 p.m. at the Wichita Parole Office
10. Some items that the group would like to discuss at the next meeting are:
  - Further discussion of legislative changes
11. Erik advised that the KBI has chaired the ORWG for about a year and asked if another agency would be interested in taking over. It was agreed that the KBI will continue to chair the Group. Meeting Adjourned at 4 pm